THE

ROOT

OF

THE EVIL.

PROVOCO AD POPULUM.

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ROOT OF THE EVIL.

WHETHER the ſtate of public affairs allows us reaſonably to expect the enjoyment of thoſe advantages which a free conſtitution is calculated to confer, is an inquiry at all times intereſting, but, under the circumſtances of the preſent times, peculiarly important. Such an inquiry may, indeed, be offenſive to miſrule, but muſt always be profitable to a people who claim to be free.

The moſt ſtrenuous ſupporters of the preſent adminiſtration admit that the public ſituation is alarming; the moſt moderate of thoſe who have for years oppoſed that adminiſtration, deem it ſcarcely retrievable. Thus parties differ not as to the exiſtence, but as to the degree of public danger. Whilſt they

who from party motives may be ſuppoſed to underſtate or to exaggerate the ſituation of public affairs, agree as to the exiſtence of public danger; is it credible that the great maſs of the people can really be either inſenſible of, or indifferent to, the cauſes which have produced it? To bring the public attention to bear upon the ſubject, may, indeed, be difficult; but the dread of difficulty muſt not diſcourage the endeavour. The inquiry is not, whether this or that ſyſtem is beſt calculated, or this or that ſet of men moſt diſpoſed and qualified, to promote the public welfare; but whether, from the preſent ſtate of public affairs, we can trace the predominancy of a ſyſtem which threatens the beſt intereſts of the country; and if we can trace ſuch predominancy, the queſtion then ariſes, whether an adminiſtration acting upon that ſyſtem is ſtill entitled to the confidence and ſupport of the nation. In that inquiry every friend to his country is deeply intereſted, and to that inquiry the moſt moderate talents are ſufficient; for, however true it may be, that it requires a ſuperior judgment to decide upon the fitneſs of means propoſed for the improvement of the public happineſs, every individual is competent to decide upon the

BRITISH MUSEUM 30 69 ALIG

the actual enjoyment of it. To frame a new ſyſtem would demand more than ordinary powers; but to reject a ſyſtem which has proved moſt diſaſtrous, and to recur to that ſyſtem which our anceſtors approved and tranſmitted to us as the moſt productive of public happineſs, requires little effort from the underſtanding, whilſt the heart is permitted to retain and exert its influence. Mere ſpeculations upon government are rarely uſeful; and a reference to thoſe periods of our hiſtory which ſome of the moſt warm admirers of our conſtitution regard as preſenting the moſt perfect models of public virtue, might, under our preſent circumſtances, appear invidious: I ſhall therefore confine myſelf to the events of the preſent reign, and from the retroſpect of what was our ſituation when the preſent reign commenced, endeavour to impreſs the public with a due ſenſe of the importance of inveſtigating the cauſes which have ſo varied that ſituation.

The year 1760, the æra when his Majeſty aſcended the throne, was an æra truly memorable; it gave to the nation a ſovereign whoſe youth and character intereſted their af-

fections not leſs than their loyalty. The party conteſts of the immediately preceding periods, however animated by public ſpirit, or embittered by perſonal rancor, neither trenched upon the prerogative of the crown, nor endangered the liberties of the ſubject. The conſtitution, equally reſpected by thoſe who poſſeſſed, and by thoſe who were candidates for, power, had been found equal to the moſt alarming exigencies of the ſtate. The treaſon laws retained their ancient ſimplicity, and the nation its characteriſtic juſtice in the adminiſtration of them. Poſſeſſed of an extenſive territory on the continent of America, we carried on a commerce bounded only by the induſtry which ſupplied it; our national debt, which had been, during a ſeries of brilliant and ſucceſsful wars, upwards of ſixty years in contracting, did not even at the peace in the year 1763, exceed 150,000,000*l.* and the intereſt payable upon it, together with the immediately ſubſequent peace eſtabliſhment, did not exceed 8,500,000*l.* Thus proſperous at home, and formidable abroad, Great Britain may be regarded in the year 1760 as diſplaying at once the happineſs and energy derivable from a free conſtitution.

Whether

Whether we now retain that national proſperity, and thoſe energies which produced it, muſt be determined by a diſpaſſionate compariſon of our preſent circumſtances with thoſe which diſtinguiſhed the happy period of his Majeſty's acceſſion to the throne.

In the year 1797 we find the empire of Great Britain contracted; our national debt increaſed from 150,000,000*l.* to nearly, or perhaps upwards of 400,000,000*l.*; our reſources, if not exhauſted, ſo alarmingly diminiſhed as to excite ſerious apprehenſions even in the moſt confident; our charge of eſtabliſhment more than doubled, and the influence of the crown increaſed and increaſing, in proportion to the increaſe of our burthens, and the moſt ſtrenuous exertions of the beſt-directed induſtry ſcarcely equal to bear up againſt the charges upon it; the approved ſtate laws of former times declared inadequate to the exigencies of the preſent; the treaſon laws extended; the freedom of diſcuſſion repreſſed; attachment to the miniſter made the criterion of loyalty to the ſovereign, and an oppoſition to the meaſures of adminiſtration branded as ſedition againſt the ſtate; the credit

dit of our national bank ſhaken by a ſuſpenſion of payment, unprecedented in its annals; and whole provinces of our ſiſter kingdom avowedly governed only by the ſword.

Such is our ſituation at home. Is our ſituation relative to foreign powers more favourable? The empire of France extended, and its government diſplaying and directing the gigantic energies of a republic againſt the beſt intereſts of Great Britain; our former aſcendency in the councils of Europe ſupplanted by the policy, or deſtroyed by the arms of France; our allies falling off, and France improving their defection from us into the moſt intimate union with herſelf—Such is our ſituation in the year 1797. Can the friend of his country contemplate with indifference a change which even a generous enemy might be expected not to view without emotion?

To retrieve our various public intereſts may be impracticable, but to alleviate our actual ſituation, and to avert the additional calamities which may reſult from it, requires, I truſt, but a ſincere and ſteady attention to the cauſes which have produced it.

May

May a grateful nation, when applying itſelf to the detection of thoſe cauſes, venture to rely upon the aſſertion of a ſtateſman at leaſt as enlightened and as upright as any one of thoſe who at preſent direct the councils of our ſovereign? May it rely upon the aſſertion of the illuſtrious Chatham, that in his time there exiſted behind the throne an influence more powerful than the throne itſelf? If reliance may be had upon that aſſertion, which was not haſtily made, but the reſult of much experience and grave reflection; and if that influence continues to operate, one, and not the leaſt miſchievous of the cauſes of that ſad reverſe which has taken place in our public affairs is diſcovered; for wherever ſuch an influence prevails, private diſtreſs and national diſaſter muſt enſue. Under ſuch an influence, thoſe ſalutary proviſions which a free conſtitution preſcribes as checks upon the exerciſe of power, cannot, without public virtue, be operative to uſeful purpoſes, and are too frequently made ſubſervient to the worſt. Let us conſider what might be the nature, and if ſuch was the nature, what muſt be the danger, of ſuch an influence.

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As to the nature of the influence, it might be the influence of a favourite, who, without reſponſibility, directed or controlled the councils of thoſe who were conſtitutionally reſponſible for public meaſures. Miniſters under ſuch an influence, holding their ſtations dependent upon their obſequiouſneſs, ought rather to be conſidered as the tools of the favourite, than as the council of the crown, or the guardians of public liberty.

From ſuch characters, what public benefit ought, or rather what public calamity ought not to be expected? Degraded in their own eſtimation, they have a ſpecies of intereſt in degrading all around them, and the corruption of others becomes abſolutely eſſential to their individual ſecurity. Each link in the chain muſt be upheld; the miniſter muſt uphold the favourite; to the miniſter's claim of confidence the repreſentative body muſt ſurrender its deliberative character; and to the profeſſions of the repreſentative muſt the conſtituent yield his cenſorial power. Should one link fail, the whole ſyſtem is deſtroyed: ſhould the conſtituent reſume and effectually aſſert the right of examining the conduct of his

his repreſentatives; or ſhould the repreſentative qualify his confidence in the miniſter, or the miniſter prefer the diſcharge of public duty to the temptations of wealth and power, the ſyſtem is no more. That a ſyſtem which requires the ſacrifice of that integrity which dignifies ſtation, and of that vigilance which is eſſential to public ſecurity, ſhould have exiſted for any length of time in any country calling itſelf free, is hardly credible; but that it ſhould have exiſted for any time in any country, and not have produced the moſt baleful effects, is impoſſible. I will not affirm that ſuch was the nature of the influence to which the erect ſpirit of the illuſtrious Chatham was required to bend, but I will aſſert, that, if it was, we ought to be ſurpriſed, not that we are humiliated as a nation, but that we retain any of the forms of a free conſtitution.

The influence might be of another, but not leſs injurious deſcription: it might be the influence of a favourite ſyſtem founded upon maxims the moſt pernicious and hoſtile to a free conſtitution; a ſyſtem which, deeming the liberties of the ſubject incompatible with the claims of the crown, ſeeks to

ſtrengthen the latter by the depreſſion of the former.

The influence of ſuch a ſyſtem I have ſtated as being not leſs injurious than that of a favourite; but is it not in fact more malignant in its principle and more extenſively direful in its effects? The ſovereign who ſubmits to the influence of a favourite, may find an apology in human weakneſs; his confidence may be the reſult of tried or approved friendſhip, or founded on a ſincere conviction that the favourite to whom he entruſts the happineſs of his people, is better qualified than himſelf to effect it. Thus a kind motive may extenuate what it cannot juſtify; but the principle of an evil ſyſtem is without apology, its purpoſe is deliberately formed, and the means of its accompliſhment are as deliberately applied. The influence of a favourite may occaſionally be checked by remorſe, or may even receive an uſeful direction from the impulſe of the affections; it may be determined by the caprice, or by the death of the ſovereign, and muſt be by his own: but the influence of an evil ſyſtem has no ſuch bounds nor check, nor owns

owns any impulſe which is not eſſential to its object; and though the means which it employs for its attainment may vary, they can differ only in their degree of turpitude. It would ill become me to affirm which, or, indeed, whether either of theſe influences was that which the noble ſtateſman arraigned before his country; but I will venture to aſſert, that from either of ſuch influences, effects ſimilar to thoſe which we now experience would probably have enſued. Whether the nation has duly regarded the patriot warning, or whether it is warranted in the total neglect of it, may be thought by ſome to allow of a difference of opinion, but ſurely it ought to allow of none in the mind of the miniſter. His noble father affirmed, not in the fervor of debate, but in the ſerioufneſs of conviction, that an influence exiſted behind the throne, more powerful than the throne itſelf. His aſſertion was true, or it was falſe: if true, ſuch influence continues to exiſt, or it has ceaſed to exiſt; if it continues to exiſt—who is the miniſter who lends himſelf to its purpoſe?—A ſon of Chatham.—If it has ceaſed to exiſt, when did it ceaſe? and why has the miniſter withheld from a people who ſtill revere the autho-

rity of his father's aſſertion, the grateful tidings of an event ſo intereſting to their welfare, and ſo connected with his own fame? If the aſſertion was unfounded, and no ſuch influence did ever exiſt, the nation is peculiarly called upon to caſt about for the diſcovery of ſome other cauſe adequate to the production of ſuch lamentable effects.

The influence of a favourite, or of an evil ſyſtem, is dangerous to a free nation in proportion to the ſacrifice which it demands of public virtue. But ſuch ſacrifice may be required, not to uphold a favourite of the crown, not to give effect to an evil ſyſtem, but to gratify the overbearing arrogance, or the wild and inordinate ambition of a miniſter, or to ſupply the profuſion of a corrupt and profligate adminiſtration, which without ſyſtem to direct or object to purſue; without induſtry to acquire, or judgment to profit of information, and ſolely relying on the miſerable expedient of the day, finds itſelf involved in meaſures which it cannot purſue or juſtify, but from which it cannot recede, and for which it in vain attempts to apologiſe. But whatever may be the cauſe which demands

mands the ſacrifice of public virtue, its effects are equally fatal to a free conſtitution.

Monteſquieu has ſucceſsfully attempted to attribute to each form of government the principle eſſential to its ſecurity; deſpotiſm muſt be upheld by terror, and honour is ſufficient to the purpoſe of unmixed monarchy. But when a conſtitution has public liberty for its end, it muſt periſh, unleſs it has public virtue for its ſupport. Organiſe its powers as variouſly as human policy can contrive, if its end be the ſame, the forms of a free conſtitution may, but the ſpirit of freedom cannot, ſurvive that public virtue which is its vital principle. A free people may be conquered by a foreign force, but they muſt be corrupted before they can be enſlaved by their own magiſtracy. Of the importance of public virtue few can really doubt, though many may affect to ridicule its exertions.—And here it may be material to remark, that as the multitude are generally taught to ridicule what deſigning men would wiſh to deſtroy; it is not the leaſt alarming ſymptom of our preſent ſituation, that many are diſpoſed to ſtigmatiſe as knavery what in better times would have been honoured as patriotiſm.

But

But let us here conſider in what public virtue really conſiſts: it may be regarded in two points of view, as it relates to the duties of thoſe entruſted with the powers of the ſtate, and as it relates to the people. As it relates to the people, public virtue appears to conſiſt in a cordial ſubmiſſion to the eſtabliſhed laws, in a readineſs to ſupply the public wants, and in a ſteady vigilance and ſpirit to ſecure and to defend the public rights; but how are theſe duties to be diſcharged if inquiry be neglected? Public virtue, as it relates to thoſe entruſted with the powers of the ſtate, conſiſts in an anxious endeavour to ſecure and to improve the general happineſs, by well-weighed and ſalutary laws, and by the upright adminiſtration of them; to render the public wants as few as poſſible, and to mark upon every occaſion a ſincere reſpect for the public liberty.

It is rarely neceſſary to inſtruct a free people in their public duties, but it may be occaſionally neceſſary to remind them of their rights. The rights of a free people are valuable, not merely as they regard the individual, but as they contribute to the general ſe-

curity; and as it is a public duty to defend them, the individual cannot renounce, nor, without guilt, even relax in his vigilance to preſerve them. Whenever, therefore, a generally prevailing contempt, or even neglect of the public rights appears, we may reaſonably conclude that the change has been produced by an influence hoſtile to the ſpirit of a free conſtitution; and whatever may be the nature of that influence, either the conſtitution muſt deſtroy it, or it will deſtroy the conſtitution.

I have already deſcribed the actual ſituation of our public affairs; and happy ſhould I be, if, in reviſing the page, I felt myſelf chargeable with having exaggerated its calamities. Total indifference to the preſſure of ſuch accumulated evils, is impoſſible, and I cannot impute to my fellow-ſubjects ſuch unnatural apathy; but thinking as I do, that ſuch accumulation of evils could never have been produced, if the claims of public virtue had been duly regarded and enforced, it may be uſeful to point out thoſe occaſions where prejudice and neglect on the part of the people have allowed of miniſters involving

us in a ſituation from which even the united efforts of ſuperior talents, actuated by ſuperior virtue, will probably be inſufficient to work our deliverance.

Our ſituation, as it regards our domeſtic relations, exhibits an increaſe of our burthens and diminution of our rights.

Our burthens have been increaſed principally by two events, the American war, and the conteſt in which we are now engaged with France. The American war in its commencement was, I believe, ſanctioned by the public opinion: the preſent conteſt with France has been rather endured than approved by the majority of the people. The claim of America in the commencement of the conteſt, was much ſhort of that independency which ſhe ultimately eſtabliſhed; but to coerce America was thought by ſome deſirable, becauſe its ſucceſs would produce revenue; and it was deemed practicable, becauſe America was thought to be defenceleſs. The latter ſentiment was weak, the former was wicked. America had her rights, and ſhe found, even in her woods, energies ſufficient

ficient to aſſert and make them reſpected. What did Great Britain gain by the conteſt? Thouſands of lives had been loſt, millions of money had been expended; but at laſt the nation gained experience, and felt in their misfortunes that reſpect for the rights of others which will, under any combination of circumſtances, prove the moſt protective of their own. An apologiſt for the public opinion might urge that it was influenced by miſrepreſentation, and ſo I believe it was in many inſtances; but ſurely it cannot be received as an apology, that he who by his opinion has ſanctioned the death of thouſands, and the numberleſs miſeries neceſſarily attendant on civil war, miſunderſtood the real cauſe of difference, and had omitted to inquire what was the object which in its attainment would terminate the conteſt. Inquiry might have diſcovered the truth, and the diſcovery might have prevented the calamities which enſued. To inquire, and to be thoroughly informed of the motive and object of any meaſure which the public opinion is to ſanction, is therefore the duty of the individual; and to communicate that information which is neceſſary to the forming of a ſound

and correct opinion, is the duty of thoſe who are entruſted with the public intereſts. Had this duty been faithfully diſcharged, had inquiry preceded deciſion, America had ſtill been ours, and we ſhould not only have ſpared the lives of thouſands, and have ſaved millions of treaſure, but ſhould now have been ſtrong in her ſtrength and rich in her reſources.

But it may be aſked, are the people to aſſume a deliberative character? are they to decide upon queſtions of war and peace? are the functions of parliament to be ſuperſeded, or its determinations to be controlled by the public voice? To ſuch queſtions, which have been often put, I anſwer, that upon every meaſure in ſupport of the propriety or juſtice of which, miniſters rely upon the public opinion, that opinion ought to be deliberately formed and fairly collected; and I affirm, that upon every meaſure which materially affects the public intereſts, the public voice, without ſuperſeding the functions of parliament, ought to be heard, and without controlling the determinations of parliament, it ought to be reſpected. To what influence

were

were we indebted for the termination of the American war? To the public voice.—To what influence were we indebted for the continuance of peace and amity with Ruſſia? To the public voice.—Where was that voice to be heard? In every quarter—in your public meetings and private converſe. The miniſter who had ſo deeply pledged himſelf to the meaſure of war, felt in that inſtance, and acknowledged, the ſuperior authority of public opinion: becauſe, perhaps, it may be ſaid he heard it adopted in the only place in which he conſiders himſelf at liberty to attend to it—in the two houſes of parliament. But how did he find it there? becauſe it was too loudly expreſſed not to be heard, and too powerfully ſupported not to be regarded.——

The inſtances alluded to ſhow the ſuperior advantages which are derivable from the freedom and practice of political diſcuſſion. In the latter inſtance, the miniſter, leſs guarded than uſual, had diſtinctly ſtated the provocation and object of the propoſed war. The provocation, inſtead of exciting the ſympathy of the nation, was generally deemed ridiculous, and the avowed object inſignificant.

Had the nation been, upon every ſimilar occaſion, equally informed of the motive and object of its wars, I ſincerely believe that it would have eſcaped the miſeries of many. For injury it would have claimed reparation; for inſult it would have demanded apology: the nature of the provocation would have determined the nature of the atonement, and the atonement would have been the only object of the nation. But there are myſteries in government which ordinary minds cannot unravel.—Under bad governments ſuch myſteries are many; under good governments they are few. The wrong that is not felt by a free and ſpirited nation cannot be a juſt cauſe for war. A miniſter may be offended, and the ſtate neither injured nor inſulted; but the miniſter who preſumes to identify himſelf with the ſtate will draw forth the ſtrength of his country to reſent what he dares not avow to be the motive of his conduct; and, to diſguiſe its turpitude, will claim credit for being actuated by reaſons of policy too refined for the public to diſtinguiſh, or too intricate for their underſtanding to comprehend. But an enlightened and vigilant nation, whilſt it is free, will claim and aſſert its right of diſcuſſion.

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It will not conſent " to ſteep its ſword in the " blood of thouſands," to gratify the ſpleen, or to give additional extent to the power or patronage, of a miniſter; nor will it ſubmit to injury or inſult from a foreign power, to ſecure to a miniſter the continuance of that eaſe and of thoſe enjoyments which are derivable only from peace. Such a nation, bearing with equal mind the events which may befal it, neither elated by proſperity nor depreſſed by adverſity, but purſuing that ſteady and dignified courſe which juſtice and honour preſcribe, would look forward to the iſſue of any war in which it might be engaged, with confidence proportioned to its endeavours to prevent it.

But if inquiry be the duty of a free people, it remains to conſider, whether the conteſt in which we are now engaged with France, and which is the ſecond great cauſe of our weight of burthens, might not have been prevented if ſuch duty had been faithfully diſcharged. The effects of the conteſt are indeed lamentable; but if the original provocation juſtified the meaſure, and if every endeavour, of which the national

national honour would allow, has been made to terminate it, miniſters are not to be condemned for the conſequences: as guardians of the public intereſts, they are entitled to liberal allowance; and ought not to ſuffer by a meaſuring caſt; the object being rather to reform the ſyſtem, than to criminate the inſtruments of it. But ſhould there appear, not merely a want of capacity in the conduct of the war, but extreme profligacy in their engaging in it, let the country, at leaſt, withdraw that confidence which has already produced ſuch miſchievous effects; and which confidence, if continued, may complete our ruin. The conteſt has already involved us in a debt of millions: the lives which it has coſt are leſs eaſily calculable; for they are rarely, beyond the moment, the concern of thoſe who have not to deplore the loſs of a father or child, or brother, or to aſſume the weeds of the widow. The eye of ſenſibility may, indeed, fix itſelf upon the ſcroll, and indulge in participating the ſorrows which its contents muſt communicate; but the more ſtern virtues, the high philoſophy of ſtateſmen, may derive additional pride from the magnitude of that calamity

which preſſes moſt widely upon domeſtic happineſs.

The war, in which we are engaged with France, is ſaid to be new in its neceſſity, and it is certainly unparalleled in its effects—its aſpect has been more terrible, and its range more extended, than any preceding war. But whence it acquired that aſpect, or from what meaſures its calamities have received ſuch unprecedented extent, is an inquiry, which, with the preſent generation, ought ſurely to poſſeſs the deepeſt intereſt. It ſhould at leaſt excite the public attention and call forth the public opinion; and the public opinion, diſpaſſionately formed, is all that can be wiſhed for; ſhould it acquit miniſters, and ſanction the continuance of thoſe meaſures which they have hitherto purſued, ſuch meaſures will thereby loſe nothing of their efficiency; or ſhould it reprobate thoſe meaſures, it may indeed involve their authors in diſgrace, but it may, if any thing can, ſave our country from deſtruction.

The hiſtory of the preſent war is full of events moſt truly inſtructive: let us at leaſt endea-

endeavour to trace the principles which have produced them.

France, under its ancient ſyſtem of government, had many abuſes to correct; and the moſt ſtrenuous and eloquent of thoſe who have ſounded the alarm to Europe, and combined nations againſt her, has candidly admitted, that, had ſhe contented herſelf with applying thoſe correctives which would have rendered her government more perfect without varying its form, he ſhould have rejoiced at the acceſſion to her liberty. But to break up the ancient foundations of her government, to ſweep away the various privileged orders, which, in the opinion of ſome, conſtitute at once the ſtrength and beauty of civil eſtabliſhment, was an outrage which every regular government was bound to reſent.

No man can be an apologiſt for the crimes of France; but it may be material to diſcriminate between the aſſertion of a right and the abuſe of a power. I hold and truſt that I am conſtitutionally correct in maintaining, that, in the inſtitution of government, its only legitimate object is the welfare of the people,

and

and that every nation has the right to reform, vary, and even recaſt its government, if experience prove it defective or injurious to the public welfare. They who maintain the contrary, however acquainted they may be with the forms of government, are wholly ignorant of the ſpirit of a free conſtitution. Delegated power is neceſſarily a truſt; it cannot be unconditionally conferred; its object cannot be renounced, it is unalienable.

They who affect to dread the influence of this doctrine, may be ſuſpected of having ſome other cauſe for their fears than the doctrine itſelf. The doctrine which lays the foundation of power in a people's choice and affections, gives it a ſtability and character which it cannot otherwiſe acquire. But there were many, ſome of high rank and ſtation, ſome diſtinguiſhed by the ſplendor of their talents, and others by their private virtues, who ſolemnly proteſted againſt this, as they termed it, new theory of government. It is from this circumſtance, that the point acquires its importance. No meaſure was taken to obſtruct France in the work of reform; her right to that extent appeared to be acknow-

 ledged,

ledged, at leaſt, by Great Britain. The total ſubverſion of her ancient ſyſtem gave the alarm. The wiſdom of the meaſure might be reaſonably diſputed, but her right to adopt the meaſure was the point conteſted.

If France had ſuch right, the other powers of Europe had no right to obſtruct her in the exerciſe of it. If France had not the right, the interference of the other powers of Europe ſtill could only be juſtified by their wiſh to re-eſtabliſh that government, and to reſtore thoſe rights, which had been deſtroyed by the uſurpation.

The object of the interference of foreign powers, thus ſtated and avowed, would have preſented to the public mind a queſtion of right, and a queſtion of expediency. The inquiry would not have been difficult, and in no event could its reſult have been prejudicial. If the reſult had been, that France, as an independent nation, had the right to provide for her own happineſs and ſecurity by ſuch form of government as appeared to herſelf the beſt ſuited to thoſe objects, our interference would have been pronounced unjuſt. If the

reſult

reſult had been the reverſe, namely, that France had not the right to throw off her ancient government, and that we had the right, and in policy ought, to attempt to compel her to reſume it; the attainment of the object of our interference would not have been more remote from its being diſtinctly defined and candidly avowed. But if it were admitted, that foreign nations had a right to interfere with the internal government of France, it would have been difficult to have maintained, that the government of France had not an equal right to interfere with the internal governments of other countries. They, therefore, who objected to the conduct of France, when ſhe threatened ſuch interference, muſt have ſeparated themſelves (at leaſt if conſiſtency were regarded) from thoſe who maintained that foreign powers might interfere with the internal government of an independent ſtate. The advantage which the nation would have derived from this courſe of inquiry is obvious: its views, diſtinctly underſtood, would have allowed of, at leaſt, conſiſtency in the choice of means, and concentrated energy in the direction of them. But the then miniſters, though they would not reſt their interference

upon ſuch ground of right, found it convenient to make a common cauſe with thoſe who did; and hence the many inconſiſtencies, not to uſe an harſher expreſſion, which are obſervable in their conduct. If our interference was not to be juſtified by the right of Great Britain to compel France to reſume her ancient form of government; how are we to juſtify the forcing of other independent ſtates to become parties in the conteſt? If our interference was to be ſo juſtified, our zeal might have betrayed us into the opinion, that ſuch interference was not only a right but a duty, and that in ſuch a criſis neutrality was a crime. This perſuaſion might have accounted for our conduct towards ſome ſtates, Genoa, Tuſcany, &c.; but how would it have excuſed our forbearance with reſpect to others, Sweden, Denmark, &c.? I wiſh this difference of conduct ſupported only the charge of inconſiſtency; it furniſhes, I fear, an additional proof that the "age of chivalry "is indeed no more."

But it has been urged, that the cauſe of quarrel was common to all Europe, not becauſe France had ſubverted her ancient ſyſtem,

tem, but becauſe France, upon the ruins of that ſyſtem, was building up a fabric which would overtower the palaces, and even endanger the thrones, of kings. Had this been ſtated to the nation as a reaſon for war, however it might have alarmed ſovereigns, who rely more upon the prejudices than upon the reaſon and affections of their ſubjects, may I not venture to affirm, that it would not have diſturbed the tranquillity of Great Britain? The thrones of deſpots might have trembled to their baſe, but the throne which is upheld by a free people, has claims which even licentiouſneſs muſt reſpect, and a ſtrength to which even the moſt daring violence muſt ſubmit.

The miniſter, ambitious to "ride in the whirlwind and to direct the ſtorm," dared not confide the queſtion to the deciſion of a generous people: he knew that an enlightened public could not allow ſuch apprehenſions to be ſufficient to juſtify hoſtilities. Eloquence might, indeed, expatiate upon the right of the neighbourhood to pull down a houſe when in flames; but it never could have ſatisfied a free and generous people, that

it

it was lawful to produce the flames in order to pull down the houſe; or that the houſe, being actually in flames, it was lawful to enter its apartments for pillage, to force its cabinets, or to corrupt its ſervants, in order to improve the opportunity of plunder.—The moral ſenſe of a nation muſt be extinct before ſuch doctrine can make its way.

I have ſtated, that there were perſons of rank, great talents, and unblemiſhed fame, who held our interference in the internal affairs of France to be a duty of the higheſt neceſſity. To opinions ſincerely entertained, whatever may be their tendency, or however the country may deplore their effects, at leaſt indulgence is due; and if thoſe who called upon Europe to vindicate the monarchy and the privileged orders of France, and to oppoſe the republican ſyſtem which ſhe had preferred, really conſidered the intereſts of humanity and ſocial order to be involved in the ſucceſs of the meaſure, they may claim, and are entitled to, gratitude for their intentions. But how are we to explain the coalition of ſuch characters with an adminiſtration

which not only did not approve of our interference upon ſuch grounds, but which did moſt diſtinctly affirm that the mere threat by one ſtate to interfere with the internal government of another was of itſelf a ſufficient cauſe for war? The effective co-operation of perſons maintaining ſuch oppoſite doctrine could not reaſonably be expected; but the appearance of union was deſirable. And here the Machiavelian ſyſtem opens upon us. The miniſter felt the then oppoſition to be ſtrong, although his underlings were inſtructed to deſcribe it as contemptible. To divide was his object; and the opportunity was too tempting to be reſiſted. Without pledging himſelf to act upon the doctrines of Mr. Burke, it was ſufficient that he oppoſed the principles of Mr. Fox. The friendſhip of years, a friendſhip which united all that was ſplendid in genius, profound in knowledge, and graceful in the affections, was diſſolved; and the aſſertion of thoſe great conſtitutional points which had ſo long occupied the attention and directed the meaſures of oppoſition, loſt all its importance. The affairs of France abſorbed every conſideration; former friendſhips were ſacrificed, and the moſt virulent reſentments were forgotten; and the coun-

cils

cils of the country were entruſted to a new cabinet made up of characters of the moſt diſcordant principles, which having nothing in common for their object, muſt have been eternally at variance in their purſuits, had not ſome been ſilenced who refuſed to be convinced, and others got rid of, whom temptation could not corrupt nor authority ſubdue.

But though they were not agreed in the object of the war, they were agreed, it may be ſaid, at leaſt in their abhorrence of a ſyſtem which had murder and rapine for its ſupport, and the extinction of all the orders and virtues of ſociety for its end. The moſt powerful eloquence was employed to detail the crimes of France; and ſurely they loſt nothing of their turpitude in the deſcription. Humanity, aſtoniſhed at the firmneſs of the hand and terrors of the eloquence which recorded them, peruſed with horror, and retired with indignation from the recital. But the paſſions of the public were to be inflamed, becauſe their paſſions were to inſtruct their reaſon; and the dictates of plain ſenſe and practical morality were to be deſpiſed, becauſe they relied on the deciſion of unbiaſſed judgment. The

The crimes of France were by ſome deemed of themſelves ſufficient to juſtify the confederacy of Europe againſt her: but as the crimes of France could not ſecure ſucceſs to the confederacy, there were others who doubted the wiſdom, and who dared even to diſpute the juſtice, of the meaſure. Here I muſt pauſe, being arrived at a period where the duty of public inquiry moſt ſeriouſly attached, and where not only all the arts of the moſt brilliant eloquence were exerted to miſlead the judgment of the nation, but the moſt formidable influences were brought forward to overawe its deciſion. The queſtion was made to aſſume a new form; it was not, what ought to be our conduct to reſtore the ancient order of things in France, but what ought to be our conduct to preſerve the eſtabliſhed order of things in Great Britain. The alarm was ſounded, not for a foreign monarchy, but for our own. The ſtandard of loyalty was erected, and they who were not willing to pledge all their love for the king were declared to have none for the conſtitution. Aſſociations were formed, not merely to repreſs what the law had defined to be ſedition, but to perſecute that as ſedition

which our anceſtors had approved and enjoined as duty. A ſyſtem of eſpionage the moſt malignant in its principle, and in its effects the moſt deſtructive of ſocial happineſs, was deliberately eſtabliſhed, under the pretext of preſerving ſocial order; and the moſt groſs libels on the conſtitution were publiſhed by theſe aſſociations, under the pretext of reſcuing it from the calumnies of Paine, and of giving it additional worth in the eſtimation of an intelligent people. We ſhall content ourſelves with a ſingle extract: *ex pede Herculem.*

"Let us now ſee what would be the effect "of this independent parliament if obtain-"ed. By an independent parliament, in "the language of the preſent times, is to be "underſtood a parliament in which the ma-"jority would oppoſe any adminiſtration: "now no arguments are neceſſary to prove, "that with ſuch a parliament no public bu-"ſineſs whatever could be tranſacted, nor "any government ſubſiſt. But it will be "ſaid, This is not what is wiſhed for, but "one in which the members ſhall be always "ready

" ready to ſupport the meaſures of miniſters
" when right, and to reſiſt them when
" wrong, unawed and uninfluenced, and
" guided only by the dictates of their own
" judgment and conſcience. This indeed is
" what every wiſe man would deſire, but
" no wiſe man will expect to ſee, as no
" ſuch aſſembly, if numerous, ever exiſted
" in this or in any country, from the begin-
" ning of the world to the preſent hour; nor
" ever can, unleſs mankind were melted
" down and run in a new mould: as they
" now are formed, in every numerous aſſem-
" bly, there muſt be ſome who have no
" judgment, and others who have no con-
" ſcience, and ſome who have neither: take
" away ſelf-intereſt, and all theſe will have
" no ſtar to ſteer by, but muſt ſail without a
" compaſs, juſt as the gales of favour or re-
" ſentment, of popular abſurdity, or their
" own ſhall direct them: a miniſter there-
" fore muſt be poſſeſſed of ſome attractive
" influence to enable him to draw together
" thoſe diſcordant particles and unite them
" in a firm and ſolid majority, without
" which he can purſue no meaſures of pub-
" lic utility with ſteadineſs or ſucceſs. *An*

" *independent Houſe of Commons is no part* " *of the Engliſh conſtitution**."

When men thus openly avow that an independent Houſe of Commons is no part of the conſtitution, the ſuperior excellence of which they profeſs to vindicate, can we be ſurpriſed at diſaffection? There always have been diſaffected characters; but though good governments be not free from them, bad governments will produce them. A government too weak to effect, or too wicked to regard the public welfare, has certainly not very powerful claims on the public gratitude; but ſhould ſuch a government profeſs to purſue the line of the conſtitution, can we be ſurpriſed that a conſtitution charged with the defects or vices of a weak or profligate miniſter, ſhould loſe ſomething of its claim to reverence in the eyes of a free people? Aſſociations were however formed, profeſſing indeed merely to defend the conſtitution of theſe kingdoms from the pernicious influence of thoſe principles which had ſo extenſively afflicted France.

* No. 9, Aſſociation Papers, p. 129. Thoughts on Parliamentary Reform, by Soame Jenyns, Eſq.

There

There were many perſons who held that ſuch aſſociations, even if the profeſſed had been the real object, were not only unneceſſary but alſo impolitic. They held them to be unneceſſary, becauſe they had been taught to think that every Britiſh ſubject was already pledged to defend the conſtitution, and that it required no new engagement to ſecure to their country the full benefit of ſuch pledge. They held them to be impolitic, becauſe, in the nature of their inſtitution, they conferred large powers, without adequate reſponſibility in thoſe, who were to take the lead in the conduct of them. Have not events juſtified the objections? What addition of ſtrength has the country derived from thoſe who ſo liberally pledged their lives and fortunes? Our danger has increaſed, or is diminiſhed. If it has increaſed, where are our aſſociations? If it has diminiſhed, whence the neceſſity of new and unprecedented reſtraints on our national liberties? They, who juſtify ſuch reſtraints, muſt maintain that danger from the influence of French principles ſtill exiſts; but if the aſſociations which were to defend us againſt ſuch danger are no more, when the increaſe of the danger demanded more active vigilance, are we not warranted

in conſidering either their inſtitution as uſeleſs, or the members of them as deſerters of the cauſe which they had pledged themſelves to ſupport? But a crime is not to be imputed where an acquittal may be had upon error of judgment. Events, however, have not only juſtified the opinion as to the inutility of the meaſure, but alſo the dread of its pernicious effects. The aſſociation which took the lead thought it prudent to inſtruct the people in the nature, principles, and practical advantages of the conſtitution. The preſs teemed with their productions, which were rapidly circulated throughout the kingdom. The moſt familiar forms of communication were adopted; dialogues, tales, and fables, were invented and revived to ſuit the underſtanding of the different ranks to which they were addreſſed. Some of them were afterwards collected and publiſhed in the compilation from which I have already extracted a moſt curious reading upon the conſtitution and uſe of parliament. That ſuch a paſſage ſhould be found in a compilation profeſſing ſuch an object, did certainly ſurpriſe me; but more particularly ſo, when I reflected that there were in that aſſociation men generally well informed, who were not only members but even the acting committee. But

But though the public might not expect to find ſuch a deſcription of parliament, yet I muſt take leave to confeſs that I did not expect from the aſſociations a very bold and ſpirited diſplay of the genius, character, and principles of a free conſtitution. I was aware that ſuch a work required talents of a very different deſcription from thoſe which are ſufficient to the purpoſe of dividing a nation and of breaking up the confidences of ſocial life; that it required a mind capable of ſympathizing with the general intereſts, and of ſacrificing its moſt inveterate prejudice for their advancement. I mean not to affirm that there was not to be found in that aſſociation a mind ſo qualified; but if there was, I moſt ſincerely lament that to its exertions the public inſtruction was not confided; for I verily believe that a maſterly delineation of the principles of our conſtitution would have ſaved us from many of the evils of our preſent ſituation. A more particular and correct knowledge of our own rights, whether denominated natural, civil, or political, ought, and I believe would have inſpired a more general and ſincere regard for the rights of others; for "knowledge hu-
"manizes mankind, and reaſon inclines to
"mild-

" mildneſs; but prejudice eradicates every ge-
" nerous diſpoſition." We ſhould have found in the diſplay of the genuine principles of freedom, that liberty is of a benevolent and ſocial, and not of a gloomy and vindictive nature; and that the deſtruction of the liberties of France was not eſſential to the ſecurity of our own.

But if the defence of our own conſtitution was only a pretext, and the hurrying of the country into a war with France was the real object, to ſuch a purpoſe the light of reaſon had been fatal, and a miſt was more favourable than total darkneſs. To raiſe it, a bold, inflammatory, and ſeductive eloquence was too ſucceſsfully employed; ancient prejudices were revived, and new provocations were inſiſted upon. The liberal and approved policy of former times, which favoured and aſſiſted public inquiry, was wholly abandoned; and the nation found itſelf engaged in a war without any defined object, which in its attainment would reſtore the bleſſings of peace. If at this period the duty of public diſcuſſion had been faithfully diſcharged, I will not aſſert that the war would have been prevented, but I ſincerely believe that its views being

being more preciſely underſtood, the public ſupport of them would have been proportionally leſs. If the re-eſtabliſhment of the monarchy of France had been diſcovered to be the real object of the war, whatever difference of opinion might have prevailed, as to the juſtice of the meaſure, I verily believe that a majority of the country would have proteſted againſt the policy of it. If the ſecuring to Holland the excluſive navigation of the Scheldt had been avowed to be the object, the wiſh of our ally, that we ſhould not interfere, would probably have been generally thought a ſufficient juſtification of our forbearance. If the decree of the 19th November, 1792, had been urged as the provocation, the nation would probably have accepted of the repeal of that decree as a ſufficient atonement. If the ſpirit of fraternization which prevailed in France had been found to have created the alarm of our government, perhaps the ſpirit of a free conſtitution had been, at leaſt by thoſe who reſpect that ſpirit, deemed a ſufficient ſecurity againſt the influence of French principles in Great Britain. If the ſuſpicion that France was aiming at univerſal empire, had been inſinuated as a reaſon for war, the grounds of that ſuſpicion would probably

 have

have been required to juſtify it. Such might, and I believe would have been, the effects of diſcuſſion; but where advantage is to be taken of each particular prejudice, a very different courſe muſt be purſued. Had the views of the miniſter been diſtinctly preſented, thoſe who required the re-eſtabliſhment of the monarchy of France, and who were ready "to wade through ſlaughter to a "throne," would have reprobated the war which had not that for its object; and they who objected to the conduct of the government of France, but acknowledged its legitimacy, would have reprobated the principle of a war which aimed at the ſubverſion of ſuch government, not becauſe it had abuſed, but becauſe it had uſurped its powers; whilſt they who knew the ſtrength and reſources of a free conſtitution, would have reprobated a war which had for its object the deſtruction of the government of France as eſſential to the ſecurity of Great Britain.

It is certainly true, that impreſſions upon the public mind, however produced, are not eaſily effaced; but the miniſter who owes his ſecurity to popular deluſion, may be betrayed by his fears, or impeached by his accomplices. The

purpoſe which he dares not to avow he cannot openly, and therefore cannot effectually, purſue; and the irregularity of his end is detected by the diſcordance of his meaſures: and every ſtep in the conduct of the preſent war has ſhown its object to be different from that upon which a majority of even thoſe who have ſupported it founded their aſſertion, that it was juſt and neceſſary.

But though they who approved the war, whom we believe to have been by no means a majority of the nation, were not agreed as to what ought to be its object, yet they were agreed as to its juſtice and neceſſity. The views of all were to be conſulted, and each flattered himſelf that his view might eventually be the view of the miniſter. War was the rallying point; and if war was all for which the miniſter engaged, he has "kept the "word of promiſe to the ear," however he may have "broken it to the hope." We are not diſpoſed to think very highly of the ſincerity of the miniſter; but ſurely they who complain of his want of it in this inſtance, ought rather to bluſh for their own credulity. The views of thoſe who moſt loudly called upon the country to take part in the confederacy

againſt France were confeſſedly different, and even irreconcileable. To ſatisfy the views of all was conſequently impoſſible. France willed to be free; and the will of a nation to be free, and the opinion that ſhe is ſo, are of themſelves ſufficient to create an energy, and to ſupply a ſtrength, incalculable in the cabinets of princes; and by ſuch exertions the views of many were diſappointed; for they who cannot be reſtrained by juſtice, may be humbled by diſaſter; and force may ſubdue thoſe whom compunction cannot check.—The miniſter, therefore, when he yielded to the imperiouſneſs of neceſſity, might reaſonably expect at leaſt the indulgence of his aſſociates; but in vain did he claim it. The eloquence which had been directed againſt France recoiled upon the councils and meaſures of Great Britain.

The recognition of the republican government of France was by ſome branded as the baſeſt perfidy; whilſt others, equally bent on the re-eſtabliſhment of the monarchy of France, regarded it as a meaſure of merely temporary but profound policy, a meaſure by which France might be lulled into a ſtate of ſecurity, which would probably prove more

fatal

fatal to her than had done the confederacy of princes againſt her. They conceived that the acknowledgment which could be juſtifiably withheld might be juſtifiably retracted; and if exiſting circumſtances are to determine the competency of one nation to treat with another (which is a monſtrous poſition), I know not how to deny that a change in the circumſtances which had allowed of the acknowledgment of the competency of France, might require and juſtify the retracting of ſuch acknowledgment. To produce ſuch change of circumſtances, became, therefore, a more ſeriouſly important object to thoſe who viewed in the monarchy of France the only point that could federally connect her with other ſtates; but ſuch change was, perhaps, of all events, the moſt to be deprecated by Great Britain. The republican government of France, when declared to be competent to preſerve the relations of peace and amity, became competent to diſcuſs the merits of the conteſt, and to negotiate for its termination; and every event which threatened that government, muſt, if peace was really the object of ours, have obſtructed its attainment. An explicit

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diſavowal of every ſiniſter purpoſe, and a ſolemn recognition of the right of independent ſtates to provide for their own happineſs, would probably have been received by France as pledges, if not of the good-will, at leaſt of the ſincerity of our government in its overtures for peace. Such we think was the line of conduct which good faith and ſound policy would have purſued as preparatory to actual negotiation. The real or ſuppoſed aggreſſions of France might then have been diſtinctly ſtated; and the nature and degree of atonement would, when once underſtood, have brought the negotiation to a very ſhort iſſue. If ſuch atonement was refuſed, it might, indeed, have raiſed a queſtion of expediency; whether it ought to be inſiſted upon; but at all events it would have preſented to both nations the real points of difference between them. If ſuch difference had been found to be a ſquabble about plunder, the ſenſe and feeling of either nation would probably have proteſted againſt its claim to their ſanction or ſupport. If, on the contrary, it had been found to be one of thoſe grave and weighty points upon which nations might fairly differ, mutual ſacrifices might have

have accommodated the difference, which nothing but the deſtruction of one of the contending parties could otherwiſe determine.

I have now reached that period when I might reaſonably expect that, as the government of France was declared to be capable of diſcuſſing the merits of the conteſt, the people of Great Britain would have been prepared to ſtate what were the motives which had excited it, and what were the objects which in their attainment would determine it.

I have carefully examined the proceedings of the firſt negotiation; but I cannot trace even an expreſſion which points at any one of the alleged provocations, nor a ſingle claim which could give to Great Britain a ſecurity which ſhe might not have equally received before ſhe became a party in the war. Was the excluſive navigation of the Scheldt to be ſecured to the States of Holland? Was an apology to be made for the offenſive decree of the 19th November, or was the principle of that decree to be ſolemnly renounced? Was the ambition of France to be checked by the

the ceſſion of any part of her ancient European territory, or the influence or propagation of her opinions to be in any manner reſtrained? If ſuch were the objects of the war, they had ceaſed to be the objects of its continuance before the negotiation, for they are not even glanced at in the projet for peace. But when and how did they ceaſe to be ſo? by our having, before that period, attained them, or by our not being at that period in a ſituation to inſiſt upon them? If we had before that period attained the objects of the war, the overtures for peace ought to have been earlier. If thoſe objects which had originally provoked the war were ſtill unattained, but were abandoned in the negotiation, from the want of force to ſecure them, it might, and probably would, have been remarked, that the nation which is too weak to enforce thoſe claims upon which it reſts the juſtice and neceſſity of having engaged a in war, is not very conſiſtent in raiſing and inſiſting upon new claims, which, if reſiſted, are to juſtify its continuance.

I mean not to enter into any detail of the conduct of the war, or of the negotiations for peace; but I muſt occaſionally refer to mea-

ſures, in order to illuſtrate the importance of public inquiry. If, at a period when every thinking man might have been expected to be prepared to ſtate the object of the war, the moſt intelligent of thoſe who are not cloſely connected with miniſters, admitted that they could only conjecture, and that their attention to the meaſures of government had ſerved but to convince them, that neither of the objects profeſſed was the real object; the nation had ſurely ſome right to expect that miniſters would have condeſcended to communicate that information which the moſt anxious attention had been unable to acquire, and without which, the public ſanction of public meaſures could not be juſtified. But the communication which may entitle to praiſe, may expoſe to cenſure.—Miniſters kept their own counſel, and by the moſt ſurpriſing variety in their meaſures, baffled even the reſearches of their adherents to aſcertain their preciſe purpoſe: to obtain public approbation they were not ſolicitous; the continuance of a blind confidence was all that they required. —The miniſter had poſſeſſed the confidence of the nation: it was caſt upon him by deſcent. But no title is exempt

from conditions; and he who takes by deſcent, takes ſubject to the conditions of the original grant.—Even the confidence which a nation's gratitude had conferred on the illuſtrious Chatham had its limits.—He who had ſworn on the great charter of liberty, to wage eternal war with every influence which might endanger it, muſt have forfeited his title to that confidence, had he been found aſſociated with men, whoſe principles he could not but deteſt; or acting upon a ſyſtem, the object of which he dared not to avow.—Confidence may be conferred, but it ought rarely, if ever, to be demanded; and the miniſter who frequently recurs to the claim of it, muſt not be ſurpriſed if his pretenſions to it ſhould become proportionally doubtful. The confidence which is due to ſincerity of intention, is ſeldom withheld; but as the beſt diſpoſed are not always poſſeſſed of that ability which may be neceſſary to their purpoſe, a nation may reaſonably expect a miniſter to ſtate his views, before it pledges itſelf to ſanction and ſupport them. Had the nation yielded to the claim of confidence, the American war would probably have been of longer duration, and a war with Ruſſia had not been prevented. The confi-

dence,

dence, therefore, which ſuperſedes the duty of public inquiry upon points of ſerious national concern, if it does not always betray, muſt always endanger the public intereſts.

I muſt, however, here do juſtice to the nation. The ſpirit of diſcuſſion did at this period begin to revive; and though the ſtream of public opinion was troubled, yet if allowed to purſue its courſe, it would have worked itſelf pure; to divert it from its courſe became the object of miniſters, and various were the means which they employed. An alarm for the conſtitution was again ſounded; and, at a moment when diſaffection, which, to a certain, but very inconſiderable, degree, prevailed, might have been, if not wholly ſubdued, at leaſt overawed, by the diſplay of the principles and energies of the conſtitution; meaſures were reſorted to, which ſtruck at the conſtitution itſelf. The plea of neceſſity was inſiſted upon; and that plea, which could not weigh againſt the reſpect claimed to a private charter, was deemed ſufficient to juſtify, at leaſt, the ſuſpenſion of the beſt privilege ſecured by the Bill of Rights. He, with whoſe eloquence the whole kingdom had re-

ſounded, when the charter of the Eaſt India Company was thought to be endangered, was the miniſter who urged that neceſſity could juſtify the ſuſpenſion of one of the great charters of our national liberties; and he, who owed the ſucceſs of his exertions to the animated zeal which he had inſpired, and which brought the nation to the throne of their ſovereign in aſſertion of the chartered privileges of a trading company, was the miniſter who adviſed and propoſed a ſurrender of the beſt right of a free people, to the very magiſtracy, which that right, in its exerciſe, was intended to control.

A bill, which, if not unprecedented in its views, was at leaſt unprecedented in its proviſions, paſſed into law; and that freedom of popular diſcuſſion, which in bad times had corrected the abuſes, and which in good times had ſtrengthened the meaſures of government, was ſubjected to reſtraints, which, in conjecture, were deemed its deſtruction; and which it remains to conſider, whether experience has not proved to be ſo: we allude to the proceedings of the 31ſt of July laſt, when a meeting, peaceably conducted, was diſperſed, and

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individuals impriſoned and held to bail, by an authority which has ſhrunk from the iſſue, upon the legality of its proceeding—ſuch proceedings were, however, authoriſed by the bill, or were not authoriſed by it. If they were authoriſed by it, let thoſe, who retain any portion of the ſpirit of their anceſtors, reflect upon the principles of a bill, which will juſtify the diſperſion of a meeting peaceably conducted, and which formerly, even in periods the moſt inauſpicious to public liberty, would have been conſtitutionally and legally aſſembled. If the bill did not authoriſe the conduct of the magiſtrate, let us reflect upon the proviſions of a bill, which is ſo framed as to miſlead a magiſtrate of the experience of Sir W. Addington; who, in the very metropolis, within the reach of the law officers of the crown, to whoſe opinions he might have reſorted, thought himſelf (for ſo it muſt be preſumed) warranted to diſperſe a meeting peaceably conducted, and to impriſon individuals, whoſe temper and conduct, at leaſt, upon that occaſion, muſt entitle them to the approbation of their country. I was of the number of thoſe who oppoſed that bill, which was accompanied by another, introduced by

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Lord Grenville, and which was of a truly alarming nature; but which was rendered more ſo by that introduced by Mr. Pitt. The oppoſition was not conducted in the ſpirit of party; but it was firm in the ſpirit of the conſtitution.

If it be uſeful, as an eminent writer has remarked, for the purpoſe of compoſition, to conſider how any diſtinguiſhed author would have expreſſed a particular ſentiment, I thought it might be profitable to conſider how a Maynard, a Somers, a Locke, or a Chatham would have thought and acted in a ſimilar ſituation to that in which we were upon the firſt introduction of the miniſter's bill. I looked back to that period of our hiſtory, when the tumult of petitioning was reſtrained, and the preſs ſubjected to a licenſer; I found, however, that, even in thoſe times, the right of meeting for the purpoſe of diſcuſſion and remonſtrance was reſpected and inviolate; and I thought that I had there found, not only the extent of the deviation of which a free conſtitution would allow, but alſo that which the plea of neceſſity could poſſibly preſume to require. The venerable

form

form of him who, when King William III. remarked that he muſt have ſurvived all the lawyers of his youth, anſwered, that he had, and ſhould have ſurvived the law itſelf had it not been for his majeſty's coming, preſented itſelf to my imagination; and I fancied that I heard him ſolemnly exhorting his country to guard, as the key-ſtone of its conſtitution, that right of meeting for the purpoſe of diſcuſſion and remonſtrance, which was all that patriotiſm could ſave from the wreck of public liberty, whilſt our throne was filled by a Stuart; but which had of itſelf, in its due exerciſe, proved ſufficient to the eſtabliſhment of the Houſe of Brunſwick. I felt the claim, and acted upon it, at leaſt, with the ſincerity of conviction; and though all endeavours have hitherto failed, I hope that the time is not far diſtant, when either the nation may be entruſted with its ancient rights, or, at leaſt, when the proviſions which reſtrain thoſe rights ſhall be made intelligible to the magiſtrate who is to execute the law; for I cannot aſſent to the opinion attributed to a noble and learned lord, who once graced the councils of our ſovereign (Lord Thurlow), that bills which are not intelligible in their proviſions,

cannot

cannot be miſchievous in their effects, for experience proves that "Folly may ruſh in where "Wiſdom fears to tread;" and the liberty or life of a fellow-ſubject, or an important occaſion of expreſſing the public opinion, may be ſacrificed to the preſumptuous ignorance of an inferior magiſtrate. But if I cannot aſſent to the opinion attributed to that noble and learned lord, which I believe to have been intended as conſolatory, ſtill leſs can I aſſent to the doctrine, imputed falſely, I have no doubt, to another noble and learned perſon, whoſe high ſtation renders it his duty to inform the conſcience of his ſovereign, and entitles him to the moſt extenſive influence in the councils of the nation: I ſhall not truſt to the accuracy of the impreſſion which my mind has received; but ſhall faithfully tranſcribe the paſſage, as reported in Debrett's Parliamentary Regiſter, vol. 45, page 205:—
"*But the noble and learned Lord muſt be ſen-*
"*ſible that, in regard to the definition of*
"*what might, and what might not, be of-*
"*fences under the act, it would be obviouſly*
"*impolitic and unwiſe to define them with*
"*ſuch ſtrictneſs, as ſhould inſtruct certain*
"*characters to what preciſe length they might*

"*go, in their attacks on the conſtitution.*"—I muſt repeat the conviction, that ſuch a ſentiment never entered the mind of the noble and learned lord to whom it is imputed: a doctrine which diſplays the ſpirit of a Caligula, and refines upon the devices of his tyranny, could in no place have eſcaped from the lips of the higheſt judicial magiſtrate of a free ſtate; but that he ſhould have maintained ſuch doctrine in a Britiſh ſenate, in the preſence of ſome, whoſe peculiar duty it is to enforce the ſacred precepts of our religion, and to inculcate the charities which they enjoin; of ſome, to whom the adminiſtration of the juſtice of the nation is confided; and of others, who are conſtitutionally to be regarded as aſſociated in the taſk of legiſlation, in acknowledgment of their own, or of their anceſtors' ſuperior virtues: that ſuch doctrine ſhould have been maintained in ſuch a place I think incredible; and that it could be maintained in the preſence of ſuch characters without exciting the moſt marked abhorrence, muſt be impoſſible, whilſt a ſingle ſpark of virtue remains amongſt them.—The rigor of a law may create a ſpecies of tyranny; but if its proviſions be clearly defined, the individual

may eſcape its penalties: but when the proviſions of a law are ſtudiouſly indefinite, they are, indeed, a ſnare for the unwary; but do they not alſo preſent danger to the moſt circumſpect, and how ſhall Prudence ſo ſhape her courſe as to avoid it?

I have dwelt the longer upon this part of the ſubject, becauſe I verily believe that, had that zeal which manifeſted itſelf in aſſertion of the charter of the Eaſt India Company, manifeſted itſelf in aſſertion of the Bill of Rights, we ſhould now have enjoyed what I always have, and muſt ever regard as the right of all others the moſt protective of a free conſtitution. The liberty of the preſs may be reſtrained; the Habeas Corpus act may be repealed; the trial by jury itſelf may be aboliſhed: but if the right of popular meetings for the purpoſe of diſcuſſion and remonſtrance remain, every other right may be recovered; but when that right is loſt, no other right is ſecure.

Should I be aſked, how I account for the active zeal of the country in its aſſertion of the reſpect due to a private charter, and

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for its ſupineneſs when a public right of the moſt important nature was to be ſuſpended? I muſt admit it to be the effect of an almoſt unlimited confidence in the miniſter. But it is of that confidence I complain: the effects of it are felt in our every relation, foreign and domeſtic. The alarming power of France is to be aſcribed to that ſyſtem which aimed at the deſtruction of her rights; and the more alarming increaſed influence of the crown muſt be aſcribed to that profuſion, of which, if corruption was not the object, it has proved at leaſt the effect. But if the duty of public inquiry had been diſcharged, could the miniſter have procured the public ſanction of the ſyſtem to which France owes that increaſe of her power which is ſo dangerous to our ſafety, or of the meaſures to which the crown owes that increaſe of influence which is ſo alarming to our liberty?

The nation, reflecting that the influence of the crown, when it had not reached nearly its preſent ſize, was, by the recorded vote of their repreſentatives, declared to be increaſed, to be increaſing, and that it ought to be diminiſhed, would ſteadily have oppoſed a ſyſtem which not only in-

creaſed that influence, but which ſtrengthened it with a power of which in all times their anceſtors were moſt diſtruſtful. The erection of barracks in every part of the kingdom would have been regarded as a meaſure little auſpicious to public freedom. Some, indeed, might have conſoled themſelves with the reflection, that although the conſtitution had confided the military ſtrength to the crown, it had entruſted the public purſe, which was to ſupply that ſtrength, to the legiſlature; and ſuch reflection might have conſoled, if the unauthoriſed expenditure of nearly one hundred millions, within the ſhort ſpace of four years, had not ſuggeſted that the right of withholding ſupplies, was a check, which, however ſufficient in ſome periods of our hiſtory, might in other circumſtances prove wholly inadequate to its purpoſe. The miniſter, who having obtained from parliament the ſum by himſelf ſtated as ſufficient to the public exigence, and having a vote of limited credit to anſwer any unforeſeen emergency, feels himſelf ſtrong enough year after year to pledge the public faith for nearly twice the amount for which he has the ſanction and vote of parliament, may be reaſonably ſuſpected

pected of having other reliance than that which the ſpirit of a free conſtitution would afford him.

Parliament has, indeed, redeemed the pledge of the miniſter, and millions have been voted for payment of millions borrowed, without its previous authority: nor are ſuch confirmatory votes to be cenſured; the reproach belongs to the ſyſtem which requires them. A vote of limited credit authoriſes the miniſter to pledge the public credit to ſuch limited extent; and the miniſter who exceeds that vote, ſhould at leaſt be prepared to ſtate an urgency ſo imperious as not to brook even the delay which the forms of parliament might create; for, ſhould the practice prevail, a vote of limited credit would not only be uſeleſs as to any good purpoſe, but may be made the means of accompliſhing the worſt. A miniſter, without ſuch vote, might fail of obtaining credit from the individual; or, if he did obtain it, parliament would at leaſt retain the right to inveſtigate the circumſtances which had rendered it neceſſary. But a vote of credit, however limited, may, by a ſkilful miniſter, be ſo employed as to anſwer every purpoſe, however irregular

irregular or unconſtitutional: it may be regarded as a ſufficient ſecurity for each particular advance of its amount; and the individual having no means to aſcertain whether its amount has already been raiſed, the vote which was to guarantee the payment of two millions, may have been ſo uſed as to have raiſed ten millions, or any other ſum; and when parliament is required to ratify the engagements of the miniſter, it muſt feel itſelf controlled in the diſcharge of its public duty, by the conſciouſneſs of having, by its vote, poſſeſſed the miniſter of the means of ſo practiſing on the confidence of individuals.

Should it be remarked that the vote of credit is in its very nature ſubject to ſuch ſpecies of abuſe, it may be anſwered, that the objection is not to votes of credit, but to the continuing of confidence in a miniſter, who, year after year, has abuſed that power which ſuch votes confer. The vote of limited credit is, when conſtitutionally employed, a meaſure of provident, and ſometimes of indiſpenſable policy. But in its abuſe, it may be made the means, if not of ſuperſeding, at leaſt of ſo influencing the deliberations of parliament, upon one of the moſt grave and intereſting

intereſting of its functions, as to render that check, which, in the ſound ſtate of our conſtitution, is a moſt valuable protection, not merely uſeleſs, but even burthenſome;—for the forms of a free conſtitution muſt become a charge whenever the ſpirit of it is extinct.

If the public mind were ſteadily applied to the actual ſituation of the country, abundant reaſon would appear for diſtruſting the claim of the miniſter to the continuance of that confidence which he has ſo repeatedly demanded, and which the nation has from time to time ſo prodigally and fatally conferred. That a confiding nation ſhould produce a confiding parliament, is to be expected; and that a miniſter left free to purſue his own courſe, ſhould occaſionally overſtep the line of the conſtitution, is not to be wondered at: but that a nation ſhould continue to confide in a miniſter, who withholds all confidence from the nation, and whoſe every meaſure has tended to ſtrengthen that influence which the above vote had declared ought to be diminiſhed, and "whoſe adminiſtration has "added more to the public burthens, and "taken more from the public rights," than any adminiſtration in any former period of our hiſtory;

hiſtory ; that a nation ſhould continue to confide in ſuch a miniſter, is one of thoſe events, which, if the hiſtorian ſhould venture to record, we hope that poſterity, for the honour of their anceſtors, will refuſe to believe.

As the character of the repreſentative will, however, always in a greater or leſs degree partake of that of the conſtituent, let the people ſeriouſly reflect upon the circumſtances of their ſituation ; and the repreſentative body will probably perceive the neceſſity of diſcharging the duties which ariſe out of it. Parliament has experienced the effects of confidence in the miniſter ; let it try what may be effected by confidence in the nation. Let them reflect that the ſubjects of a ſtate, of which freedom is the direct object, has rights to maintain as well as duties to perform ; and that they who are indifferent to the aſſertion of their rights, are rarely very active in the diſcharge of their duties. In order to animate the public mind, and to rouſe it to a ſenſe of the public ſituation, let the legiſlature reſtore to the people the right of peaceably meeting, for the purpoſe of diſcuſſion and remonſtrance ; and to give greater freedom

to

to diſcuſſion and remonſtrance, let it reſtore to our ſtate laws their ancient preciſion and ſimplicity. Let thoſe who ſo jealouſly inſiſt upon the privilege of all money-bills originating in their Houſe, reſume to themſelves the more valuable privilege of reſtraining all expenditure for which they have not provided, or which they have not conditionally ſanctioned. Let the people reflect upon the bleſſings of freedom, and cordially cheriſh the conſtitution which confers them. Let them reflect, that "innovation, which in old eſtabliſhments "is ſeldom expedient, in the conſtitution of a "ſtate is always dangerous." But let them diſtinguiſh between the ſpirit of reform and the ſpirit of innovation, and forbear to brand thoſe as enemies to the conſtitution who ſincerely wiſh to reſtore to it that conſiſtency and ſtrength which may deprive every future miniſter of the means of diſmantling its citadel, under the pretext of erecting buttreſſes for its ſupport. Let them, as an enlightened nation, endeavour to collect from former declarations from the throne and cabinet, what were originally the objects of the war; and let them from the recent declarations, and from the proceedings of the laſt negotiation,

attempt to diſcover what is the obſtacle to the attainment of peace. If they ſhould find in the terms of peace a claim on the part of Great Britain, to retain ſome of the poſſeſſions of her former allies, and a ſteady determination on the part of France to adhere to thoſe treaties by which ſhe has guaranteed the reſtitution of ſuch poſſeſſions to thoſe powers who are now her allies; let them reflect that one of the aſſigned cauſes of the war was the reſpect due to the ſanctity of treaties.

Should it be urged by France, that having forced Spain and Holland into a war, deſtructive of their trade, and injurious to their poſſeſſions, ſhe feels herſelf bound to make them all the reparation in her power, and that the ceſſion of any part of their ancient territory would be an aggravation of thoſe wrongs of which Great Britain ſo loudly and indignantly complained; ſhould France further urge, that, anxious to juſtify our government's recognition of her competency to maintain the relations of peace and amity, ſhe wiſhes to mark that reſpect which is due to her engagements with her allies; and that a generous nation ought not to complain if ſhe refuſes to hazard the loſs of

thoſe

thoſe favourable ſentiments by which ſhe is reſtored in our councils to the rank of a regular government, and which loſs ſhe fears would enſue if ſhe were to accede to an accommodation which would throw upon her allies the weight of every conceſſion which had been demanded from herſelf, and to purchaſe her own deliverance from the calamities of war by the ſacrifice of thoſe allies to whoſe fidelity and exertions ſhe is perhaps indebted for the opportunity of negotiating for peace; if France ſhould attempt thus to juſtify her conduct in the late negotiation, it will remain for the nation to conſider whether ſuch obſervations are anſwered by the principles laid down, and reaſoning relied upon, by the noble negotiator, on the part of Great Britain. If, indeed, Spain and Holland were diſpoſed to make the ceſſions demanded, and France oppoſed the meaſure, ſuch conduct on the part of France would require further explanation; but if Spain and Holland not only refuſe to make ſuch ceſſions, but even inſiſt upon the reſtitution of their reſpective poſſeſſions as a *ſine quâ non*, and if France has ſtipulated to perſiſt in the demand of reſtitution, and upon the faith of ſuch ſtipulation was entruſted with

the conduct of the negotiation; if France, in direct violation of such engagement, had attempted to compel her allies to relinquish their claims, however sincerely I lament the continuance of the war, yet I must confess that if France had so conducted herself; if in the moment of her success she had made those whom she is accused of having forced into the war, the victims, or rather offerings of peace, such conduct would have afforded, not merely an apology, but a complete justification of that system, which, treating her as destitute of every religious, moral, or social tie, had marked her out to nations as the object of universal detestation and horror.

But such was not the conduct of France; and Great Britain, whilst she deplores the continuance of war, may console herself that the propriety of the recognition of the competency of France to maintain the relations of peace and amity, is not rendered questionable by her conduct towards Spain and Holland.

The negotiation, however, is broken off; let the nation understand why, and let the object which in its attainment would possess

us of peace, be clearly defined and manfully avowed; and then let the nation reflect upon the probability of its attainment; and without remarking upon the at leaſt apparent inconſiſtency of raiſing new claims, when forced by neceſſity to abandon our former claims, let the country reflect upon the nature and principle of the demands now inſiſted upon. Is it to compel France to negotiate according to the eſtabliſhed forms of diplomacy? If it be, let the nation reflect, that France, when proſtrate, in vain ſolicited the obſervance of thoſe forms from his Majeſty's miniſters, and that they who now complain that France refuſes to ſtate their terms of peace, formerly refuſed to ſtate the provocations and cauſes of the war. Is the object to compel France to abandon what ſhe has pledged her faith to protect? If ſuch be the nature of the claim, the war muſt continue until France break her faith, or be ſo reduced as not to be in a ſituation to preſerve it. Is it to prevent thoſe from acquiring ſtrength in Aſia or America, whoſe ſtrength is already ſo alarmingly formidable in Europe? Whatever be the object, is it to be conſidered as a *ſine quâ non?* If it be, what is its value in the ſcale of juſtice and policy?

The ceſſion of Belgium was laſt year treated as a *ſine quâ non*, and millions of treaſure have been expended to ſecure it; but the ceſſion of Belgium, the key of Europe, as it was deſcribed, is no longer inſiſted upon. Of the key of India, we have, indeed, at preſent, poſſeſſion; but is the retaining of it of a value equal to what the conteſt will probably coſt? and will it juſtify thoſe additional taxes which the induſtry of the nation is inſufficient to anſwer, and which even the ingenuity of the miniſter is ſcarcely able to invent? But whatever may be the value of the object, may it not be material to conſider from whom it is demanded? Are the poſſeſſions of Spain and Holland, forced as thoſe powers are ſtated to have been by France, into the war, to make atonement for the alleged aggreſſions of France? and is a magnanimous nation ſo degraded as to exact from the unoffending helpleſſneſs of Spain and Holland, that indemnity which ſhe dares not claim from the powerful injuſtice of France? Is the miniſter really brought into that ſituation where he muſt fail in his demands whether he ground them upon juſtice or upon force?

Does

Does the ſafety of theſe realms really depend upon France failing in her engagements to her allies? or is the neceſſity of preſerving the balance of power to be ſeriouſly inſiſted upon? But, as already obſerved, whatever may be the nature of the object, or principle of the policy which is to juſtify the continuance of the war, let it be avowed, and let the nation reflect gravely upon it. Should France, as it has been thrown out, inſiſt upon the reduction of our naval ſtrength as a *ſine quâ non*, ſuch arrogance of pretenſion would allow but of one opinion and of one line of conduct. The country, however it might reprobate the ſyſtem, and deplore that imbecility in our councils which had encouraged France to ſtate ſuch pretenſions, would ſtill feel that it had reſources in its virtues, and energies in its union, which nothing but the want of wiſdom to direct them could render unſucceſsful, in any conteſt for its national independence, religion, and liberties.

The naval ſuperiority of Great Britain is eſſential to her ſecurity; and however degraded ſhe may be in other reſpects, either by the profligacy or weakneſs of her miniſters, it is

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an advantage which ſhe can never ſubmit to ſacrifice, though Europe were combined againſt her. But when we inſiſt upon our naval ſtrength as eſſential to our ſafety, how are we to juſtify the continuing of the war in order to break down the military ſtrength of France, which may be equally eſſential to her ſecurity? Let the nation reflect upon its actual ſituation; and if its ſupineneſs has contributed to the evils of that ſituation, let it, after an anxious inveſtigation of the conduct of the preſent miniſtry, determine whether they ſtill retain their claim to public confidence, and riſing ſuperior to thoſe prejudices which have been artfully excited againſt individuals, let them regard public talents, when informed by public virtue, as a part, and indeed the moſt valuable part of the public wealth, and reprobate that ſyſtem which excludes ſuch talents from the public ſervice. And when the graveſt charge, preferred againſt a man poſſeſſing the moſt ſplendid, ſolid, and pre-eminent talents, even by his bittereſt enemies, is, that he feels a deeper intereſt in the liberty of the ſubject, than in the prerogative of the crown, is urged, let the people reflect whether ſuch ſentiment is deſerving of their cen-

cenſure or of their gratitude; and let them, by a firm and temperate ſpirit, in a criſis the moſt awful that ever threatened the fate of empire, ſecure the conſolation, of which no events can deprive them, that though they may ceaſe to be as happy, they have endeavoured to be as free as their anceſtors; and with the wiſh that they may be as happy and as free as the emulation of the virtues of a Somers, a Sidney, a Hampden, a Locke, or a Chatham, can entitle them to be, I ſhall conclude this appeal to that public virtue, by which only happineſs or freedom can by a nation be ſecured or deſerved, and the want of which, I have endeavoured to prove to be the root of the evils of our preſent ſituation.

THE END.

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